



California Regional Water Quality Control Board

Los Angeles Region



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Arnold Schwarzenegger
Governor

TO: Interested Persons

FROM:

Renee Purdy

Section Chief, Regional Programs

DATE: April 6, 2010

SUBJECT: NOTICE OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
SCOPING MEETING FOR A PROPOSED AMENDMENT TO THE WATER
QUALITY CONTROL PLAN FOR THE LOS ANGELES REGION (BASIN
PLAN) TO UPDATE THE BACTERIA OBJECTIVES FOR FRESHWATERS
DESIGNATED FOR CONTACT RECREATION BY REMOVING THE
FECAL COLIFORM OBJECTIVES

The Los Angeles Regional Water Quality Control Board (Regional Board) staff is in the process of updating the bacteria objectives for freshwaters designated for water contact recreation by removing the fecal coliform objectives.

Pursuant to California Public Resources Code section 21083.9, as amended by AB 1532, and the California Environmental Quality Act (CEQA) section 21080.5, Regional Board staff will conduct a CEQA scoping meeting to receive comments on the appropriate scope and content of the "functionally equivalent" substitute environmental documents supporting Basin Plan Amendments that would remove the existing fecal coliform objectives for freshwaters designated for water contact recreation in the Los Angeles Region. The substitute environmental documents will be prepared pursuant to Public Resources Code Section 21080.5, and the State Water Resources Control Board's regulations related to its Certified Regulatory Program (see 23 Cal. Code Regs. §3775 et seq.). The substitute environmental documents are intended to serve as planning level (Tier 1) environmental documents, consistent with Public Resources Code Section 21159.

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BACKGROUND

In 1986, the U.S. EPA published revised ambient water quality criteria for bacteria, recommending that states use enterococcus in marine water and *Escherichia Coli* (*E. coli*) or enterococcus in fresh water (U.S. EPA, *Ambient Water Quality Criteria for Bacteria - 1986*). These criteria were based on epidemiological studies conducted in 1983 and 1984 to determine the most appropriate bacterial indicators and corresponding objectives for waters designated for water contact recreation. Following this, in March 1999, U.S. EPA made a commitment in its *Action Plan for Beaches and Recreational Waters* that "where a State does not amend its water quality standards to include the 1986 criteria, EPA will act under Section 303(c) of the Clean Water Act to promulgate the criteria with the goal of assuring that the 1986 criteria apply in all states no later than 2003." In response, the Regional Board updated its bacteria objectives in 2001 to incorporate both EPA's 1986 criteria, and those specified by Assembly Bill 411 (1997), as codified in California Code of Regulations Title 17 section 7958.

While EPA recommended the use of *E. coli* in place of fecal coliform, the Regional Board did not remove the fecal coliform objective during the 2001 update of its bacteria objectives. Rather, it allowed a transition period for incorporation of *E. coli* objectives into water quality monitoring programs, and for collection of data on the new criteria to establish an adequate monitoring database. EPA sanctions such transition periods but recommends a single triennial review cycle as the duration of the transition period. This is the third triennial review cycle since the adoption of the 2001 bacteria objectives.

The Regional Board's goal in updating the region's fresh water bacteria objectives is to maintain consistency with EPA's directive that *E. coli* replace fecal coliform as the indicator of the presence of pathogens in fresh water, and to remove unnecessary permitting and monitoring requirements that arise from having objectives for both indicators. This action will result in having *E. coli* as the sole bacterial indicator to assess and regulate the quality of fresh waters used for water contact recreation (REC-1).

The purpose of this meeting is to scope the foreseeable adverse impacts of the proposed action on the environment. Since this action involves the removal of a redundant objective and would not impose any requirements on the regulated community, there are no associated implementation actions.

However, interested persons are specifically requested to provide the following information:

- The reasonably foreseeable, significant, adverse environmental impacts associated with the proposed action, if any.
- Specific evidence supporting that such impacts are reasonably foreseeable, and describing the magnitude (significance level) of the impacts.
- Reasonable alternatives to the proposed action that would result in less significant, adverse environmental impacts.



- Reasonable mitigation measures that would minimize any unavoidable significant adverse environmental impacts associated with the proposed action.

(See Public Resources Code section 21159)

The proposed information and resulting analysis will be incorporated into the Draft Substitute Environmental Document. The CEQA Scoping Meeting will be held at:

**1:00 p.m., Monday, April 19, 2010
Junipero Serra Building
Carmel Room, 1st Floor
320 W. 4th Street
Los Angeles, California 90013**

Please contact Dr. Ginachi Amah at (213) 576-6685 or gamah@waterboards.ca.gov if you have any questions regarding this matter. Please bring the foregoing to the attention of any persons known to you who would be interested in this matter.

cc: Jennifer Fordyce,
Jeff Ogata,
Office of Chief Counsel, State Water Resources Control Board